REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-38 and 40-63 are pending in the application, Claims 1-31 and 52-63 having previously been withdrawn from consideration. No claim amendments are presented, thus, no new matter is presented.

In the outstanding Official Action, Claims 32-38, 40-47, and 49-51 were rejected under 35 U.S.C. 102(e) as being anticipated by Brozowski et al. (U.S Patent No. 6,55,871, herein "Brozowski"); and Claim 48 was rejected under 35 U.S.C. 103(a) as being unpatentable over by Brozowski.

In response to the rejection based on Brozowski, Applicants respectfully submit that independent Claims 32, 35, 41 and 49-51 recite novel features clearly not taught or rendered obvious by the applied references.

As discussed in detail in the amendment filed October 27, 2005, the pending independent claims related to an object content structure management method/computer program product for managing a content structure of a root object which includes attribute data corresponding to a media file.

Specifically, independent Claim 32, 35, 41 and 49-51 recite, *inter alia*

> ...*defining an attribute capable of being held by said*
> *parent and child objects* for each of the plurality of object
> types by a schema definition...

Each of independent Claims 32, 35, 41 and 49-51 recite additional features relating to the claimed parent and child objects.

As discussed in an exemplary embodiment at pp. 54-56, and shown at Fig. 37, the attributes which the object can hold for each object type, and the types of the objects can be defined by a schema in advance. Thus, the attributes capable of being held by the parent and

child objects may be defined by a schema definition, based on specific preferred attributes for

a given media file to which the root object corresponds.

Turning to the applied references, Brozowski describes an asynchronous tree

navigator graphical user interface, which allows a user to asynchronously query for data and

display the results of said query.[1] Specifically, Brozowski describes a method of accessing

and displaying already existing data in a tree hierarchy structure, but fails to teach of suggest

defining the type of data actually stored in each parent and child object.

Thus, Brozowski fails to teach or suggest *"defining an attribute capable of being*

held by said parent and child objects for each of the plurality of object types by a schema

definition," as recited in independent Claim 32.

In addressing the above noted claimed feature, the outstanding Official Action cites

col. 6, lines 24-64 of Brozowski. The cited portion of Brozowski describes that hidden lower

branches may be loaded for display when the user selects an expand control button (173).

Further, a user may request that specific data be loaded for display by selecting an object.

Upon such a selection the contents of the object and associated data may be displayed to the

user.

Thus, Brozowski describes a process for asynchronously loading and displaying

already existing hierarchical data. While it is possible that the data loaded and displayed in

Brozowski includes defined attributes according to a schema definition, the reference fails to

teach or suggest that his user interface provides the ability to define such attributes.

Further, modifying Brozowski's interface to provide such functionality would not

have been obvious to one of ordinary skill in the art, because the interface is designed to

simply accept user queries and retrieve data. Adding the functionality to edit the data

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[1] Brozowski, Abstract.

3

structure itself would call for a substantial redesign and deviation from the express objective set forth in Brozowski's description.

Accordingly, Brozowski fails to teach or suggest *"defining an attribute capable of being held by said parent and child objects* for each of the plurality of object types by a schema definition," as recited in independent Claim 32.

Further, independent Claims 32 and 49 recite that the first and second lists of child objects hold "instances of all objects actually existing as said child objects and *placeholders indicating objects that can exist as child objects...*" and "determination information" indicating the same.

In addressing these claimed features, the outstanding Official Action relies on col. 13, lines 21-48 of Brozowski. However, this cited portion of Brozowski describes that when partial data is received in response to a request to load data, a placeholder object may displayed to a user indicating the partially loaded status. Thus, the object requested actually exists, and the data is being loaded for display on the interface.

In contrast, independent Claims 32 and 49 recite that lists of objects hold instances of actually existing objects and *placeholders indicating objects that can exist as child objects* (i.e., do not yet exist). Thus, the claimed "placeholders" indicate objects that do not contain any data. This is in clear contrast to the "placeholders" in Brozowski which are visual representations, indicating that data exists and is currently being loaded.

Thus, Brozowski fails to teach or suggest the first and second lists of child objects "hold instances of... *placeholders indicating objects that can exist as child objects...,"* as recited in independent Claims 32 and 49.

Additionally, independent Claims 41 and 51 recite modifying the object content structure. Specifically, these claims recite that *"a value to be changed is inputted* and a

change is indicated for said displayed attribute value, and *the attribute value of the object is updated to the input value.*"

The outstanding Official Action cites col. 13, lines 49-58 of Brozowski in addressing this claimed feature. However, this cited portion of the reference describe a process of displaying a "placeholder object," while selected data is being loaded for display, as noted above. Thus, the value of the attribute is not changed at all. Instead, an icon on the user interface is simply modified to indicate that the loading of requested data is not yet complete.

Therefore, Brozowski fails to teach or suggest "*a value to be changed is inputted* and a change is indicated for said displayed attribute value, and *the attribute value of the object is updated to the input value,*" as recited in independent Claims 41 and 51.

Accordingly, for at least the reasons discussed above, applicant respectfully requests that the rejection of independent Claims 32, 35, 41 and 49-51 (and the claims that respectively depend therefrom) under 35 U.S.C. § 102(e) or be withdrawn.

Claim 48 was rejected under 35 U.S.C. 103(a) as being unpatentable over by Brozowski.

Dependent Claim 48 recites "edited object contents are outputted by a description language, the description language being an MPEG-7 description language or an XML description language." In addressing this claimed feature, the outstanding Official Action takes official notice and asserts that "it is well known in the art to output contents of an object in XML description language."

However, as discussed above, Brozowski fails to teach or suggest editing object contents whatsoever, and therefore does output edited object contents. Thus, Brozowski, even if combined with the above noted assertion of Official Notice, fails to teach or suggest all the features recited in Claim 48.

Further, Applicants respectfully submit that official notice alone is not permissible as grounds for rejection in the outstanding Official Action. As stated in the MPEP at § 2144.03(A):

> It would <u>not</u> be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. *In re Ahlert*, 424 F.2d at 1091, 165 USPQ at 420-21.
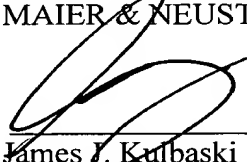
With regard to the above, Applicants respectfully submit that the features advantageously recited in Claim 48 are not "capable of instant and unquestionable demonstration as being well-known."

Accordingly, Applicant respectfully requests that the rejection of dependent Claim 48 under 35 U.S.C. § 102(e) or be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 32-38 and 40-51 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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